

## **Part 1**

### **General Provisions**

#### **63L-4-101 Title.**

This chapter is known as the "Constitutional Takings Issues Act."

Enacted by Chapter 382, 2008 General Session

#### **63L-4-102 Definitions.**

As used in this chapter:

- (1) "Constitutional taking issues" means actions involving the physical taking or exaction of private real property by a political subdivision that might require compensation to a private real property owner because of:
  - (a) the Fifth or Fourteenth Amendment of the Constitution of the United States;
  - (b) Article I, Section 22 of the Utah Constitution; or
  - (c) any recent court rulings governing the physical taking or exaction of private real property by a government entity.
- (2) "Political subdivision" means a county, municipality, local district, special service district, school district, or other local government entity.

Renumbered and Amended by Chapter 382, 2008 General Session

#### **63L-4-103 Applicability of chapter.**

This chapter does not apply when a political subdivision formally exercises its power of eminent domain.

Renumbered and Amended by Chapter 382, 2008 General Session